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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,815	01/05/2001	Lester T. Yoshida	11314/3	5410

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EXAMINER

LIANG, GWEN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 06/19/2003

10

Please find below and/or attached an Office communication concerning this application or proceeding.

PRG

Office Action Summary	Application No.	Applicant(s)	
	09/755,815	YOSHIDA ET AL.	
	Examiner	Art Unit	
	GWEN LIANG	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

1. This action is responsive to communications: Amendment A, filed on 3/27/2003 with added claims 35-37. This action is made final.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-15, 17, 19-26, 28-30, 32-35 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007).

With respect to claim 1, Murphy discloses a method comprising the steps of:

receiving a user preference profile for a specific activity (col. 2 lines 15-19, wherein a user preferences databases are used to store information on the user preferences related to user activities.);

comparing the user preference profile with pre-stored weather information (col. 2 lines 9-13; col. 2 lines 32-41).

However Murphy does not explicitly teach the step of "providing the user at least one of a plurality of suggested future times and a suggested location for the specific activity".

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Bridal teaches a step of "providing the user at least one of a plurality of suggested future times and a suggested location for the specific activity" (See for example: page 1 paragraph 5, wherein WeatherPlanner has the capability of providing the most favorable wedding dates if the date has not been decided on and the best destination of honeymoon based on the user's desired type of weather for an activity and location ideas.).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate a step of "providing the user at least one of a plurality of suggested future times and a suggested location for the specific activity as disclosed by Bridal into the weather-based decision making method as disclosed in Murphy to offer a revolutionary new event and activity planning service that provides reliable, customized weather forecasts up to 12 months in advance (page 1 paragraph 3). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 2 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of receiving a user preference profile comprises the step of receiving from the input device a user preference profile for at least one activity. (col. 4 lines 1-8; col. 2 lines 15-19; col. 2 lines 32-36).

Claim 3 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of receiving a user profile comprises the step of receiving weather parameters including at least one of

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precipitation, wind, air temperature, humidity, location, road conditions, cross winds, visibility and time (col. 2 lines 32-36).

Claim 4 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of receiving updated weather information and storing tile weather related information in a weather database (col. 5 line 60 – col. 6 line 4).

Claim 5 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method wherein said step of comparing the user preference profile comprises the step of comparing the user preference profile with information contained in the weather database (col. 2 lines 9-13; col. 2 lines 32-41).

Claim 6 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of monitoring the weather database and providing updated information to the user (col. 3 lines 65-67).

Claim 7 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of warning the user when input weather parameters have been exceeded (col. 2 lines 49-52).

Claim 8 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method comprising the step of warning the user when input weather parameters have been met (col. 2 lines 49-52).

Claim 9 is rejected on grounds corresponding to the reasons given above for claim 7.

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Claim 10 is rejected on grounds corresponding to the reasons given above for claim 8.

Claim 11 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of receiving weather information from at least one of NOAA reports, weather towers, traffic, video, and construction and closure reports (col. 4 line 50 – col. 5 line 5).

Claim 12 is rejected for the reasons set forth hereinabove for claim 4 and furthermore Murphy teaches a method comprising the step of receiving weather information from a plurality of surface mounted road sensors (col. 4 lines 9-41).

Claim 13 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 14 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Murphy teaches a method wherein said step of providing the user at least one of a suggested time and a suggested location via a network comprises the step of creating an entry in a personal electronic calendar for a time and a location at which weather parameters in the user preference profile are forecasted to be at least one of met and exceeded (col. 7 line 63 – col. 8 line 25).

Claim 15 is rejected for the reasons set forth hereinabove for claim 13 and furthermore Murphy teaches a method wherein the network comprises one of a publicly accessible network, an intranet, a wide area network, and a local area network (col. 8 lines 47-51).

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Claims 17, 26 are rejected on grounds corresponding to the reasons given above for claims 4 and 1.

Claim 19 is rejected on grounds corresponding to the reasons given above for claim 4.

Claim 20 is rejected on grounds corresponding to the reasons given above for claim 17.

Claim 21 is rejected on grounds corresponding to the reasons given above for claims 3 and 9.

Claim 22 is rejected on grounds corresponding to the reasons given above for claims 3 and 10.

Claim 23 is rejected on grounds corresponding to the reasons given above for claim 1.

Claim 24 is rejected on grounds corresponding to the reasons given above for claim 13.

Claims 25, 33 and 34 are rejected on grounds corresponding to the reasons given above for claim 14.

Claim 28 is rejected on grounds corresponding to the reasons given above for claims 1 and 4.

Claims 29 and 30 are rejected on grounds corresponding to the reasons given above for claim 7.

Claim 32 is rejected for the reasons set forth hereinabove for claim 26 and furthermore Murphy teaches a computer wherein to provide the user with at least one of

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a suggested time and a suggested location, said computer causes to be displayed on a user device information related to a suggested time and a suggested location via a network (col. 4 lines 1-8).

Claim 35 is rejected on grounds corresponding to the reasons given above for claims 17 and 15.

Claim 37 is rejected for the reasons set forth hereinabove for claim 1 and furthermore Bridal teaches an expert system wherein the remote server is further configured to identify a plurality of locations that correlate to the weather and the activity (page 1 paragraphs 5 and 7).

4. Claims 16 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307),), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007), and further in view of Trombley (U.S. Patent No. 6,456,299).

Claim 16 is rejected for the reasons set forth hereinabove for claim 3. However the combination of Murphy and Bridal does not explicitly disclose a method wherein the location parameter includes a latitude and longitude for the activity.

Trombley teaches a method wherein the location parameter includes a latitude and longitude for the activity (col. 4 line 65 – col. 5 line 2).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize a latitude and longitude as disclosed by Trombley to identify the location for an activity as disclosed in the combination of Murphy and Bridal. On all the U.S. Government maps, points are marked that denote where the specific

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latitude-longitude numbers are to be positioned. These numbers are commonly referred to as GPS numbers. Fishermen using their GPS satellite navigation equipment and the GPS numbers can more accurately locate a desired fishing location and other points of interest (col. 3 lines 37-43). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

Claim 36 is rejected for the reasons set forth hereinabove for claim 35. However the combination of Murphy and Bridal does not explicitly disclose an expert system wherein the second interface comprises a plurality of lines that form a map.

Trombley teaches an expert system wherein the second interface comprises a plurality of lines that form a map (Abstract, "A process for producing a recreational map preferably using a computer operated program by first producing a bordered area; overlaying said bordered area with one or more template maps having nautical features thereon, a first scale and latitude and longitude lines at least every two minutes of angle; adjusting the size of said template map (s) to match the bordered area and incorporating said nautical features and said latitude and longitude lines into said bordered area to provide a master template map").

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide an interface of a map formed by lines as disclosed by Trombley in the expert weather system as disclosed in the combination of Murphy and Bridal because latitude-longitude lines denote angle measurements around the earth from 0 to 360 degrees. Fishermen using their GPS satellite navigation equipment and the GPS numbers can more accurately locate a desired fishing location and other points

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of interest (col. 3 lines 28-30, 40-43). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

5. Claims 18, 27 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Murphy et al., "Murphy" (U.S. Patent No. 6,298,307), further in view of "Bridal", ("One Less Bridal Woe", PR Newswire, p0714PHTU007), and further in view of Kelly et al., "Kelly" (U.S. Patent No. 6,498,987).

Claim 18 is rejected for the reasons set forth hereinabove for claim 17 and furthermore Murphy teaches a system wherein to prompt a user to provide a user profile (col. 8 lines 53-54; col. 7 lines 22-26). . However the combination of Murphy and Bridal does not explicitly disclose a system wherein said server causes to be displayed on a user device a computer generated screen listing a plurality of weather parameter selections.

Kelly teaches a system wherein said server causes to be displayed on a user device a computer generated screen listing a plurality of weather parameter selections (col. 8 lines 50-55).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide a screen listing a plurality of weather parameter selections as disclosed by Kelly for the user to specify the desired weather condition in the user profile as disclosed in the combination of Murphy and Bridal, so the user may be provided with a predefined list of weather conditions from which to select (col. 8 lines 53-55). One of ordinary skill in the art would be motivated to make the aforementioned combination with reasonable expectation of success.

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Claim 27 is rejected on grounds corresponding to the reasons given above for claim 18.

Claim 31 is rejected on grounds corresponding to the reasons given above for claim 1.

Response to Arguments

6. Applicant's arguments with respect to claims 14, 16, 22, 26, 34-36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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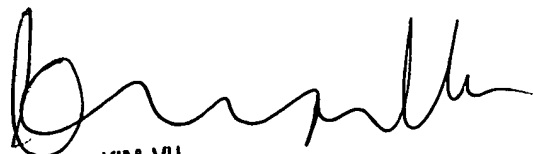
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GWEN LIANG whose telephone number is 703-305-3985. The examiner can normally be reached on 9:00 A.M. - 5:30 P.M. Monday and Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, KIM VU can be reached on (703) 305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

G.L.
June 5, 2003


KIM VU
SUPERVISORY PATENT EXAMINER
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